



Australian Government
Australian Maritime Safety Authority

AMSA EX2013/03

Marine Safety (Certificates of operation) Exemption 2013

I, Graham Peachey, Chief Executive Officer of the Australian Maritime Safety Authority (the National Marine Safety Regulator under section 9 of the *Marine Safety (Domestic Commercial Vessel) National Law*), make this instrument under subsection 143(1) of the *Marine Safety (Domestic Commercial Vessel) National Law*.

21 June 2013

Graham Peachey
Chief Executive Officer

1 Name of instrument

This instrument is *Marine Safety (Certificates of operation) Exemption 2013*.

2 Duration

This instrument:

- (a) commences on 1 July 2013; and
- (b) ceases to have effect at the end of 30 June 2018.

3 Definition

In this instrument:

auxiliary vessel means a vessel that:

- (a) does not operate further from its parent vessel than:
 - (i) if it does not carry passengers — 5 nautical miles; or
 - (ii) if it carries passengers — 2 nautical miles; or
 - (iii) another distance determined by the National Regulator; and
- (b) is less than 7.5 m long, or another length determined by the National Regulator; and
- (c) carries up to 12 passengers, or another number determined by the National Regulator; and
- (d) is not powered by a petrol inboard engine.

tender means a vessel that:

- (a) is used only to transport goods or people between the shore and its parent vessel or between its parent vessel and another vessel; and

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- (b) does not operate further from its parent vessel than 1 nautical mile, or another distance determined by the National Regulator; and
 - (c) is less than 7.5 m long, or another length determined by the National Regulator.

4 Exemption for vessels being moved for certification

- (1) This section applies to a domestic commercial vessel that is being moved for the purpose of obtaining a certificate of survey or certificate of operations.
- (2) The vessel is exempt from the requirement to have a certificate of operation.
- (3) The exemption expires when the vessel is returned to its home port after being assessed.
- (4) The exemption is subject to the condition that the vessel must be moved and returned by the most direct and practical route.

5 Exemption for tenders

- (1) This section applies to a tender that:
 - (a) is listed in its parent vessel's certificate of operation; and
 - (b) if its parent vessel must have a safety management plan or system — is addressed in the safety management plan or system; and
 - (c) complies with crewing requirements mentioned in NSCV Part E.
- (2) The vessel is exempt from the requirement to have a certificate of operation.

6 Exemption for auxiliary vessels

- (1) This section applies to an auxiliary vessel that:
 - (a) is listed in its parent vessel's certificate of operation; and
 - (b) if its parent vessel must have a safety management plan or system — is addressed in the safety management plan or system; and
 - (c) complies with crewing requirements mentioned in NSCV Part E.
 - (2) The vessel is exempt from the conditions mentioned in section 11 (conditions on certificate) of *Marine Order 504 (Certificates of operation — national law) 2012*.
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